IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JAIPUR BENCH, JAIPUR

**ORDER**

***S.B.CIVIL WRIT PETITION NO.2851/1998.***

Ram Vasnani. **VERSUS** Union of India & Others.

**06.11.2006.**

***HON'BLE MR.JUSTICE DALIP SINGH***

Mr.Arjun Karnani, for the petitioner.
Mr.Shashank Sharma on behalf of
Mr.K.K.Sharma, for the respondent-U.O.I.
Mr.B.K.Sharma, Deputy Government Advocate.

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It is contented on behalf of the petitioner that at the time of issuance of the orders Annexure-1 and Annexure-2, the respondents No.1 and 2 failed to issue any notice to show cause to the petitioner before requiring the petitioner to deposit the repatriation charges.

It is not in dispute that no notice was issued to the petitioner before the said orders Annexure-1 and Annexure-2 were passed and before the order of recovery was passed against the petitioner.

In view of the above, the impugned notice is quashed and set aside. The petitioner is directed to appear before the respondent No.2 Passport Officer with their objection/reply showing why the aforesaid charges should not be recovered from the petitioner on 18.12.2006 in person or through advocate. The respondent No.2 Passport Officer shall decide the objections which may be filed by the petitioner within one month of the

receipt of the reply/objections filed by the petitioner. In case, the petitioner fails to appear before the respondent No.2 in this behalf, the respondents would be entitled to make recovery from the petitioner in pursuance of the earlier orders Annexures-1 and 2 as it would be deemed that the petitioner does not wish to object to the same.

Consequently, the writ petition as well as the stay application stand disposed of.

**(DALIP SINGH),J.**

**Solanki DS, Jr.P.A.**